

**Missouri Hazardous Waste Management Commission Meeting**  
**August 17, 2006**  
**Agenda Item #18**

**Rulemaking Update**

**Presented by:** Tim Eiken, Rules Coordinator

1. Adoption of Federal Regulations

After adoption of the Orders of Rulemaking by the commission, the Orders to amend the eleven rules will be filed first with the Joint Committee on Administrative Rules, and then with the Secretary of State. The Orders will be filed with JCAR by August 28, 2006, and with the Secretary of State by September 27, 2006. They will be published in the November 1, 2006, Missouri Register and in the update to the Code of State Regulations on November 30, 2006. The expected effective date is December 30, 2006.

2. Administrative Hearing Commission Procedural Rule

Program staff have assembled a rulemaking package to initiate the process to file as a proposed rule the procedural rule approved by the commission at the last commission meeting. Once approved by department management, the proposed rule will be filed with the Secretary of State for publication in the Missouri Register. We expect the rule to be published in the October 2, 2006, Missouri Register followed by a public hearing at the next scheduled commission meeting. The proposed rule will be added to Chapter 2 titled "Commission Procedures" in Title 10, Division 25, of the Code of State Regulations. The rule number and title will be:

10 CSR 25-2.020 Appeals and Requests for Hearings

3. Risk-Based Corrective Action Rule

A subgroup of the risk-based corrective action stakeholder group met on July 13, 2006, to begin the process of refining the draft rule. The draft rule incorporates portions of the final guidance document, and the subgroup will continue to meet to further develop the draft rule. The next meeting has not been scheduled, but the subgroup will get together periodically over the next several months to continue the rule development process. The department is accepting bids from outside contractors to develop the Regulatory Impact Report for the draft rule.

**Recommended action:** Information Only